



## International Criminal Court: A Brief Overview

**Dr. Omkar Sonawane\***  
Independent Researcher

---

\*Corresponding Author: [dromkarphd@gmail.com](mailto:dromkarphd@gmail.com)

---

### Abstract

The International Criminal Court (ICC) serves as a vital mechanism for ensuring accountability for the gravest crimes under international law, including genocide, war crimes, crimes against humanity, and aggression. Its establishment under the Rome Statute marked a global transition toward enforcing universal justice and upholding human rights beyond national boundaries. In recent years (2023–2024), the ICC has gained renewed prominence due to escalating conflicts in Ukraine, Gaza, Sudan, and the emergence of cyber-enabled warfare. These developments have prompted renewed discourse on jurisdictional reform, digital evidence, state cooperation, and the expansion of legal frameworks to cover artificial intelligence–driven military operations and transnational threats. Despite structural limitations and geopolitical resistance, the ICC continues to evolve through enhanced investigative techniques, increased civil society participation, and proposals for thematic divisions on environmental and cyber crimes. This research examines the Court’s structure, jurisdictional mandate, contemporary cases, challenges, and future prospects, highlighting the need for stronger enforcement mechanisms and global cooperation. The ICC’s relevance in modern warfare and international criminal justice demonstrates its irreplaceable role as a cornerstone of global accountability and deterrence. Effective reforms and technological adaptation will be crucial for its sustained legitimacy in the decades ahead.

**Keywords:** International Criminal Court, Rome Statute, War Crimes, Cyber Warfare, Universal Jurisdiction, International Justice.

## **Introduction**

The escalation of complex transnational conflicts, large-scale displacement of populations, ethnic persecutions, and evolving forms of warfare has intensified the call for a global judicial institution that can ensure accountability beyond national borders. The International Criminal Court (ICC), headquartered in The Hague, was established to serve precisely this purpose upholding justice when national legal systems fail or are unwilling to prosecute individuals responsible for the gravest violations of international law. Its emergence reflects a fundamental shift in international legal philosophy, moving from state-centric sovereignty to the protection of human dignity as a universal norm. With growing scrutiny on war crimes in Ukraine, Gaza, Sudan, and emerging concerns around cyber warfare and artificial intelligence in military operations, the ICC stands at a critical juncture. It must evolve to address modern threats while maintaining judicial legitimacy and global cooperation. Although it faces political resistance and limited enforcement mechanisms, its relevance in contemporary international law remains significant.

## **Evolution of Global Justice and Origin of ICC**

The ICC was established under the Rome Statute in 2002 as the world's first permanent international criminal court empowered to prosecute individuals, not states. This development marked a departure from earlier ad hoc tribunals like those for Rwanda and Yugoslavia. The idea dates back to the aftermath of World War II, when the Nuremberg and Tokyo Trials demonstrated that international justice was possible. The Rome Statute laid the foundation for a legal framework enabling the prosecution of genocide, crimes against humanity, war crimes, and aggression. As of 2024, 124 countries are State Parties, illustrating a broad though incomplete global consensus on universal accountability.

## **Increasing Relevance in Contemporary Conflicts**

In the past decade, the ICC's role has expanded significantly due to rising geopolitical instability. Investigations in Ukraine (war crimes), Sudan (genocide and ethnic cleansing), Palestine (crimes against humanity), and Myanmar (ethnic persecution of Rohingyas) demonstrate the Court's expanding engagement. Recent academic works suggest a push toward integrating digital forensics, satellite evidence, and AI-assisted legal analysis into investigative procedures (Carter & Longworth, 2024). This shift reflects an urgent need to adapt judicial procedures to modern warfare, particularly in contexts where digital evidence becomes crucial. The ICC now plays a role not only in prosecution but also in deterrence, signalling to political and military leaders that impunity is no longer guaranteed.

**Challenges: Sovereignty, Politics, and Enforcement**

Despite its mandate, the ICC does not possess its own police force and relies on states for enforcement, especially in arresting suspects. Some major powers including the United States, China, India, and Russia are not party to the Rome Statute, weakening the universality of ICC jurisdiction. Furthermore, allegations of politicization occasionally arise, particularly when ICC investigations involve strategic or economically powerful states. Limited budget allocations and diplomatic resistance contribute to delays in trials and enforcement of verdicts. Scholars argue that a greater integration with Interpol, Europol, and UN peacekeeping forces could improve enforcement. Concerns also exist around state pressure, selective prosecution, and delayed justice in ongoing conflicts.

**Future Prospects and Necessity for Reform**

The ICC is currently exploring modern frameworks for accountability related to cyber warfare, autonomous weapon systems, environmental destruction, and transnational terrorism. As technology advances and global conflicts evolve, traditional interpretations of international criminal law may prove insufficient. Several experts have proposed the establishment of a Special Division for Environmental Crimes and Digital Warfare under the ICC by 2026. Strengthening the Court's autonomy, expanding state participation, and modernizing investigative procedures remain key goals for the next decade. Additionally, civil society and NGOs play an increasing role in evidence collection and advocacy, strengthening public trust in international justice.

In essence, the ICC represents not only a legal institution but also a symbolic and moral commitment to the idea that no individual regardless of power or office should be exempt from accountability when humanity is harmed. Its journey from post-war tribunals to a modern international court reflects the evolving nature of justice in the 21st century.

**Historical Evolution of the International Criminal Court**

The establishment of the International Criminal Court (ICC) was not a sudden development, but the outcome of decades of effort to create a universal justice system capable of prosecuting individuals responsible for grave international crimes. The need for such a mechanism emerged from the inadequacy of national courts to address atrocities committed during armed conflicts and authoritarian regimes. The ICC represents a fundamental shift from state immunity to individual accountability, embracing the principle that grave crimes against humanity require global intervention. The growing complexity of warfare, including cyber-attacks and AI-driven combat strategies, has further increased the relevance of a permanent international criminal institution.

- **Early Foundations and Moral Justification**

The origin of international criminal justice can be traced to the aftermath of World War II, with the establishment of the Nuremberg Trials (1945–1946) and the Tokyo Tribunal (1946–1948). These were the first international judicial mechanisms to hold individuals rather than states responsible for mass atrocities. They introduced the groundbreaking principle that “superior orders” are not a valid defence for committing crimes against humanity. These trials also highlighted the necessity of international accountability, creating the ethical foundation that guided future developments in international criminal law.

- **Pre-ICC Efforts and Temporary Tribunals**

For decades after World War II, there was no permanent court. Instead, the international community relied on ad hoc tribunals that were established in response to specific conflicts. The most significant among them were:

- **International Criminal Tribunal for the former Yugoslavia (ICTY), 1993**
- **International Criminal Tribunal for Rwanda (ICTR), 1994**

These tribunals delivered justice but were temporary and resource intensive. They demonstrated the need for a stable, permanent judicial institution capable of addressing crimes systematically rather than reactively. Their functioning shaped investigative procedures, witness protection frameworks, and legal definitions of genocide and crimes against humanity, all of which influenced the future ICC structure.

- **Establishment of the ICC under the Rome Statute**

The Rome Statute, adopted in 1998 and enforced in 2002, marked the formal creation of the ICC as a permanent, treaty-based international court. It recognized four core crimes under its jurisdiction.

**Table 1: Core Crimes Under ICC Jurisdiction**

<b>Core Crime</b>	<b>Description</b>
Genocide	Intent to destroy, in whole or part, a national, ethnic, racial, or religious group
Crimes Against Humanity	Systematic attacks targeting civilians (e.g., torture, enslavement, serious crimes against women)
War Crimes	Grave breaches of the Geneva Conventions and humanitarian law
Crime of Aggression	Unlawful use of force by one state against another

Source: Created by Author

- **Evolution in the 21st Century: Technology & Legal Reform**

The ICC has increasingly adapted its procedures to modern global challenges. In the 21st century, warfare has extended from physical conflict zones to digital and

remote battlespaces. Recent academic studies suggest the need for expanding ICC jurisdiction to include:

- Cyber warfare and digital sabotage
- AI-based military decision-making
- Environmental destruction causing human displacement
- State-sponsored surveillance and misinformation campaigns

In ongoing investigations—especially in Ukraine, Sudan, Gaza, and Myanmar—the ICC has utilized satellite imagery, metadata analysis, OSINT (open-source intelligence), and digital witness testimony to collect evidence. To strengthen its capabilities, legal scholars have proposed creating a Digital Crimes Division within the ICC by 2026.

Table 2: Development of ICC Across Historical Phases

Historical Phase	Key Focus	Contribution to ICC
Post-WWII (1945–50)	Nuremberg & Tokyo Trials	Ethical foundation for global justice
Cold War (1950–1990)	Limited progress	Geopolitical tensions delayed ICC formation
1990s	Rwanda & Yugoslavia conflicts	Need for permanent court became clear
1998–2002	Rome Statute & ICC formation	Legal structure and jurisdiction established
2010–2024	Innovations in investigation	Digital forensics & AI-based case analysis

Source: Created by Author

Structure and Composition of the International Criminal Court

The ICC has been intentionally designed to ensure independence, transparency, and a functional separation of powers to maintain the integrity of international justice. Its structure prevents political influence from impacting legal proceedings and promotes a robust mechanism of accountability. The Court operates through four principal organs: (1) the Presidency, (2) Judicial Divisions, (3) Office of the Prosecutor (OTP), and (4) the Registry. Each organ performs distinct administrative and judicial functions, collectively ensuring a comprehensive framework for investigation, prosecution, trial, and support to witnesses and victims. This institutional design strengthens global confidence in the Court and contributes to its recognition as the world’s most powerful legal body dedicated to addressing international crimes.

• The Presidency: Leadership and Judicial Oversight

The Presidency is responsible for the overall administration and external representation of the Court. It consists of the President and two Vice-Presidents,

elected by the judges from among themselves for three-year terms, renewable once. The Presidency ensures judicial cooperation, assigns judges to chambers, and maintains diplomatic relations with states, the United Nations, and regional bodies. In 2021, Piotr Hofmański of Poland became President, reflecting global diversity within ICC leadership.

The Presidency also plays a crucial role in ensuring the fair allocation of cases and preventing undue delay in proceedings. It does not interfere in the legal judgment of trials but oversees administrative and procedural coherence between judicial organs.

- **Judicial Divisions: The Core of Legal Proceedings**

The Judicial Divisions comprise 18 judges, elected through the Assembly of States Parties (ASP) based on regional, gender, and legal expertise representation. Candidates must possess “high moral character and integrity” and cannot share citizenship with another sitting judge. The Judicial Divisions are divided into three chambers:

**Table 3: The Judicial Division**

Chamber	Function
<b>Pre-Trial Chamber</b>	Authorizes investigations, confirmation of charges
<b>Trial Chamber</b>	Conducts full trials and evaluates evidence
<b>Appeals Chamber</b>	Handles appeals and reviews procedural fairness

Source: Created by Author

Judges serve nine-year non-renewable terms, ensuring judicial independence. They may be removed if their impartiality is questioned or if they commit misconduct, requiring a significant majority vote from state parties. This safeguards ethical conduct and upholds the legitimacy of court verdicts.

- **Office of the Prosecutor (OTP): Investigation and Prosecution**

The OTP is one of the most powerful organs of the ICC, responsible for investigating crimes and prosecuting individuals before the Court. According to the Rome Statute, the OTP must operate independently and without external influence, including from states, NGOs, or international institutions.

The OTP may initiate an investigation through three routes:

- **State Party referral**
- **UN Security Council referral**
- **Proprio Motu Powers**

Recent developments between 2023–2024 highlight the increasing importance of digital forensics, AI-assisted evidence analysis, and cyber intelligence in OTP investigations. Scholars have proposed creating a Digital Evidence Unit to handle metadata authentication, drone footage analysis, and satellite imaging. Prosecutors

also work with NGOs and civil society to collect testimonies, particularly from displaced communities. This reflects a shift toward collaborative investigative frameworks, enabling broader access to evidence even in hostile territories.

•      **The Registry: Operational and Administrative Backbone**

The Registry is responsible for the non-judicial and administrative functions of the ICC. It handles legal documentation, witness protection, translation of court proceedings, detention facilities, and logistics related to trials. The Registry also ensures the security of victims and witnesses, especially in politically sensitive cases. The Registrar is appointed by the judges for a five-year term. As of 2018, Peter Lewis serves as the Registrar.

Recent procedural reforms emphasize:

- Strengthening remote testimony systems
- Improving witness protection protocols
- Enhancing rights of victims to participate during trials
- Increasing accessibility through digital filing systems

**Table 4: Structure of the ICC and Core Functions**

Organ	Core Responsibilities
Presidency	Administration, Diplomacy, Judicial Oversight
Judicial Divisions	Trials, Appeals, Confirmation of charges
Office of the Prosecutor	Investigation & Prosecution of Crimes
Registry	Witness Protection, Logistics, Documentation

Source: Created by Author

The structural composition of the ICC ensures not only judicial fairness but also administrative efficiency, enhancing the credibility of international criminal law. It reflects a modern legal institution designed to balance sovereignty with accountability, addressing both traditional crimes and emerging challenges of the 21st century.



**Figure 1: Organizational Structure of the International Criminal Court**

**Jurisdiction of the International Criminal Court**

The jurisdiction of the International Criminal Court (ICC) defines the scope of its legal authority to prosecute individuals responsible for the most serious violations of international law. Established under the Rome Statute, the Court holds power to investigate and try cases related to genocide, crimes against humanity, war crimes, and crime of aggression. Its jurisdiction is complementary — meaning it intervenes only when national courts are unable or unwilling to prosecute such crimes. In recent years, the ICC has become particularly relevant in contexts involving digital evidence, cross-border cyber operations, artificial intelligence–assisted warfare, and targeted disinformation campaigns, indicating that traditional legal frameworks are evolving rapidly to address 21st-century challenges.

- **Statutory Basis and Core Crimes Under ICC Jurisdiction**

The Rome Statute outlines four primary categories of crimes under ICC jurisdiction. These crimes are considered universal threats to humanity and must be prosecuted irrespective of borders or state sovereignty.

**Table 5: Core Crimes under ICC Jurisdiction**

Core Crime	Definition
Genocide	Intentional destruction of a group based on ethnicity, nationality, race, or religion
Crimes Against Humanity	Systematic attacks against civilians (e.g., forced displacement, crime against women)
War Crimes	Grave breaches of international humanitarian law committed during armed conflict
Crime of Aggression	Unlawful use of force by one state against another

Source: Created by Author

These crimes are defined with precision in Articles 6–8 of the Rome Statute. Importantly, individual accountability is emphasized, ensuring that political or military authority does not provide immunity from prosecution. This principle has become crucial in recent investigations into conflicts in Ukraine, Sudan, Palestine, and Myanmar.

- **Referral Mechanisms and Triggering Investigations**

The ICC can initiate investigations through three routes:

**Table 6: Referral Methods Mechanisms**

Referral Method	Who Initiates?	Example Case
State Party Referral	ICC member country	Uganda (2004)
UN Security Council Referral	UNSC under Chapter VII	Sudan/Darfur (2005)
Proprio Motu Power	Prosecutor initiates investigation independently	Kenya (2010)

Source: Created by Author



The principle of complementarity ensures that the ICC does not replace national judicial systems but acts only when states fail to provide justice. This approach speaks to the ICC’s role as a last resort, upholding both sovereignty and accountability. However, when state parties refuse cooperation — as seen in Sudan and Myanmar — enforcement becomes difficult, highlighting practical limitations of the Court.

• **Modern Challenges: Cyber Warfare & AI-Driven Conflicts**

Recent debates suggest that ICC jurisdiction must expand beyond conventional warfare. Scholars argue that cyber-attacks, autonomous weapons, and AI-assisted targeting can potentially constitute war crimes when they result in civilian harm or forced displacement. (Chan, 2024).

Key emerging concerns include:

- **AI-based military decisions without human oversight**
- **Cyber operations targeting hospitals, power grids, or food supply systems**
- **Use of drones for extrajudicial executions**
- **Manipulated digital evidence & metadata tampering**
- **State-sponsored misinformation impacting democratic stability**

As war becomes increasingly digital, proving intent (a core aspect of ICC prosecution) is becoming more complex. Calls for a Cyber Crimes Division within ICC by 2026 have emerged, with proposals to regulate AI-based military technology under international criminal law.

• **Territorial, Temporal & Personal Jurisdiction**

The ICC’s jurisdiction operates on three dimensions:

**Table 7: Types of Jurisdictions and Explanations**

Type of Jurisdiction	Explanations
<b>Territorial</b>	The crime must occur within a State Party or territory under ICC jurisdiction
<b>Personal</b>	The accused must be a national of a State Party OR the crime affects its citizens
<b>Temporal</b>	ICC jurisdiction applies only to crimes committed after July 1, 2002 (date of entry into force)

Source: Created by Author

However, the Court’s temporal limitation poses challenges during investigations involving long-term conflicts or historical abuse. Furthermore, non-member states such as the United States, China, India, and Russia limit the ICC’s

jurisdiction globally, creating gaps in enforcement. Efforts to expand universal jurisdiction continue through UN-based negotiations and diplomatic engagement.

By defining legal boundaries with precision while adapting to modern threats, the ICC continues to evolve as the guardian of international justice. Its jurisdiction reflects both the strengths and limitations of contemporary global law—requiring cooperation, technological adaptation, and a unified international commitment to ensure that impunity does not become embedded in modern warfare.

### **Recent Cases Under the ICC**

The International Criminal Court has become increasingly active in addressing global conflicts, especially during the last decade. The institution has shifted from prosecuting historical atrocities to investigating real-time events, which demonstrates its importance in contemporary international law. Ongoing situations in Ukraine, Sudan, Gaza, Myanmar, and other regions reflect how the ICC is gradually adapting to complex geopolitical realities. The increased reliance on remote investigation, satellite imagery, open-source intelligence, and digital witness testimony indicates a new era of evidence collection. This transformation also highlights the Court's role as a guardian of human rights when domestic legal systems fail to prosecute grave crimes.

- **Ukraine Conflict (2022–Present): Use of Digital Evidence**

The conflict in Ukraine has become one of the most closely observed cases in ICC history. In March 2023, arrest warrants were issued in connection with forced deportation of children and deliberate attacks on civilian infrastructure. Investigators relied on satellite data, cellphone geolocation records, drone footage, and metadata-based evidence. Artificial intelligence tools were also used to analyze social media patterns and track troop movements. These techniques have introduced new methods into international criminal law, which may redefine how evidence is evaluated in future investigations. The Ukraine case demonstrates that the ICC is willing to use advanced technology to hold individuals accountable beyond traditional battlefields.

- **Sudan Crisis and Darfur Situation**

Sudan has been under ICC scrutiny for many years. In 2023, severe violence resurfaced in West Darfur, with reports of ethnic attacks, crime against women, and forced displacement. Renewed investigations have focused on identifying commanders responsible for ordering or facilitating attacks. The historic indictment of former president Omar al-Bashir marked a turning point in international justice, showing that even heads of state cannot claim full immunity. However, enforcement remains challenging because Sudan's internal political instability prevents the execution of ICC arrest warrants. The Sudan case highlights the need for regional cooperation and support from African Union members to strengthen accountability.

- Gaza and Palestine (2024): Jurisdictional Complexity**

The situation in Gaza has prompted international concern due to rising civilian casualties and allegations of humanitarian violations. Investigations are focused on targeting of civilian areas, denial of essential aid, and potential use of prohibited weapons. Since Palestine is a non-member observer state at the United Nations but has accepted ICC jurisdiction, questions of territorial legality and state recognition continue to challenge the investigation. Despite this, preliminary examinations are ongoing with growing use of digital mapping, AI-assisted geolocation, and UN field reports. The case carries major geopolitical implications and may define future jurisdictional boundaries in disputed conflict zones.

- Myanmar and Rohingya Persecution**

Myanmar is not a signatory to the Rome Statute, but the ICC proceeded with an investigation based on the fact that parts of the crime occurred in Bangladesh, which is an ICC member state. This approach reflects a broader interpretation of territorial jurisdiction. Investigations into the forced displacement of Rohingya populations include drone-based documentation of village destruction, digital witness testimonies, and analysis of refugee movement patterns. This case demonstrates a shift in focus from conventional warfare to persecution of ethnic minorities and cross-border crimes committed even without a formal declaration of war.

- Overview of Major ICC Cases**

Table 8: Key ICC Investigations

Region	Type of Crime	Status
Ukraine	Deportation of children, war crimes	Active investigation
Sudan	Genocide, ethnic killings	Arrest warrants issued
Gaza/Palestine	Civilian targeting, displacement	Preliminary examination
Myanmar	Ethnic persecution, forced migration	Investigation ongoing
Central African Republic	Armed groups, sexual violence	Prosecution in progress
Kenya	Electoral violence	Trial completed

Source: Created by Author

This overview shows that most ICC cases involve attacks on civilians, political oppression, and displacement of vulnerable populations. These patterns reflect how power structures can result in human rights violations when not checked by legal accountability.

- Digital and Remote Investigation Methods**

The ICC is increasingly adopting digital tools for evidence collection. These include satellite imagery, social media analytics, remote witness interviews, AI-based

pattern recognition, and verification of timestamps using blockchain methods. Such developments allow investigators to operate even when they are physically unable to enter conflict areas. Calls have been made to create a dedicated digital evidence unit within the ICC to improve data handling and verification. This shift also provides greater protection to witnesses who may face threats if they appear in person. Digital transformation in investigations may help reduce delays in cases and increase reliability of testimonies.

- **Challenges and Practical Limitations**

While the ICC's role continues to expand, several practical obstacles remain. The Court does not have its own enforcement mechanism and depends on cooperation from states to arrest suspects. Powerful countries such as the United States, China, Russia, and India are not State Parties to the Rome Statute, which weakens global jurisdiction. Budget limitations and lengthy trial procedures further complicate its operations. Critics have also raised concerns about delays and selective prosecution, arguing that political factors sometimes influence which cases receive priority. Despite these issues, recent investigations demonstrate that the ICC still operates as a key global institution for justice when national courts are unable to act.

### **Challenges and Reforms Proposed for the ICC**

The International Criminal Court stands as a cornerstone of global justice, but its ability to function effectively is often constrained by political, legal, financial, and technological limitations. While the Rome Statute provides a strong foundation for prosecuting serious international crimes, the ICC faces obstacles in enforcement, evidence collection, state cooperation, and bureaucratic delays. As conflicts become more digital and transnational, the Court must reform in order to remain relevant and efficient. In recent years, legal scholars and international bodies have proposed reforms to enhance digital investigation systems, strengthen enforcement capacities, and expand jurisdiction to cover emerging threats such as cyber warfare, artificial intelligence-based attacks, and environmental destruction.

- **Political Resistance and Lack of Universal Participation**

One of the ICC's major challenges is the refusal of several powerful countries including the United States, Russia, China, and India to join the Rome Statute. This limits jurisdiction and reduces global uniformity in prosecuting international crimes. Even some member states occasionally refuse cooperation due to diplomatic pressure or national interests. Arrest warrants issued by the ICC cannot be executed without domestic enforcement mechanisms, which delays or prevents trials of high-profile accused persons. Political retaliation also occurs when the ICC investigates powerful or economically dominant states. These examples show that international justice often relies on political will, which may not always align with legal obligations.

- **Limitations in Enforcement and State Cooperation**

Unlike national courts, the ICC does not have its own police or enforcement authority. It must rely on states to arrest and extradite accused individuals. When governments are unwilling to cooperate, prosecutions cannot proceed even when strong evidence is available. This has been evident in cases such as Sudan and Myanmar. Furthermore, enforcement depends heavily on diplomatic agreements, regional alliances, and support from international organizations. Some experts have suggested forming a partnership between the ICC and Interpol to strengthen arrest operations. Others propose regional enforcement units supported by the United Nations or African Union. However, these ideas require political commitment and financial investment, both of which remain uncertain.

- **Budgetary Constraints and Administrative Delays**

The ICC operates with limited financial resources compared to the scale of its responsibilities. Investigations across multiple continents, field missions, protection of witnesses, and preservation of digital evidence demand high operational costs. Budget limitations often result in slow progress, delayed hearings, and postponed trials. In some cases, victims and witnesses wait years before proceedings begin. Moreover, legal procedures are complex and often require translation, legal review, and international coordination. Administrative delays reduce the perceived effectiveness of the ICC and sometimes discourage victims from seeking justice. There is growing pressure to increase funding and improve internal efficiency through digital case management systems and streamlined procedures.

- **Emerging Technological and Legal Challenges**

Modern conflicts increasingly involve cyber operations, AI-based targeting, drone warfare, and disinformation campaigns. These actions may lead to death, displacement, or destruction—but they are not clearly defined within traditional categories of war crimes. Legal ambiguity makes it difficult to classify digital attacks under the Rome Statute. Establishing intent also becomes complex when autonomous systems are responsible for decision-making. To address this, legal researchers have suggested expanding ICC jurisdiction to include “digital aggression” and “AI-assisted crimes.” Proposals include establishing a cyber-crimes department, adopting forensic AI tools, and building partnerships with technology firms for evidence analysis. Cyber accountability is becoming a priority for future reform.

**Table 9: Key Challenges Faced by the ICC and Possible Reforms**

<b>Challenge</b>	<b>Proposed Reforms</b>
Non-cooperation by states	Stronger diplomatic mechanisms and regional enforcement units
Lack of police authority	Collaboration with Interpol and UN peacekeeping forces
Budget limitations	Increase funding through international partnerships

Digital evidence complexity	Creation of cyber and digital evidence division
Jurisdictional gaps	Expansion to include AI warfare and environmental crimes
Administrative delays	Digital case management and faster trial procedures

Source: Created by Author

- **Role of NGOs, Civil Society, and Victim Participation**

Non-governmental organizations and human rights groups play an essential role in ICC investigations. Many cases rely on survivor testimonies gathered by NGOs operating in conflict zones. Witness protection programs are vital but expensive, often requiring relocation, confidentiality protocols, and psychological support. In addition, civil society helps improve transparency by documenting abuses when states attempt to hide evidence. Victim participation has been officially recognized within ICC procedures, enabling survivors to present their views and claims through legal representatives. Strengthening NGO partnerships and digital witness protection systems is essential for future investigations where physical access may be limited.

- **Pathways for Future Reform and Global Cooperation**

To strengthen the ICC's capabilities, several proposals are being discussed internationally. These include:

- Establishment of a digital evidence unit within the ICC
- Specialized divisions for environmental destruction and cyber warfare
- Strategic partnerships with regional courts in Africa, Europe, and Latin America
- Integration with data security and satellite monitoring agencies
- Increased funding via international donor programs
- Use of virtual hearing systems to reduce delays and protect witnesses

Collaboration with United Nations institutions and international law commissions could help standardize definitions for emerging crimes. Discussions are also underway for establishing advisory committees on AI and autonomous weapon systems to guide the ICC in future prosecutions.

Reform is essential to ensure the ICC remains relevant in a rapidly changing world. Political independence must be balanced with practical enforcement strategies, and legal frameworks should evolve to include technological crimes and their consequences. While challenges remain significant, the growing demand for global justice indicates that the ICC still holds a crucial place in international law. Continued cooperation, innovation, and structural reform can transform it into a more effective guardian of accountability and human dignity in the years ahead.

## **Conclusion**

The International Criminal Court represents one of the most significant developments in global justice, shifting the focus from state-based immunity to individual accountability for grave crimes. Its establishment under the Rome Statute marked a historical step toward preventing impunity and ensuring prosecution for genocide, crimes against humanity, war crimes, and aggression. While the ICC has made progress in investigating major international cases in Ukraine, Sudan, Gaza, Myanmar, and the Central African Republic, numerous challenges persist. These include political resistance, lack of universal participation, insufficient enforcement mechanisms, and financial limitations. The Court operates as a complementary institution, intervening only when national judicial systems are unwilling or unable to prosecute, which maintains respect for state sovereignty while promoting global accountability.

Recent years have demonstrated the increasing relevance of the ICC in modern conflicts, where evidence often emerges through digital sources such as drone footage, metadata analysis, satellite imagery, and remote witness testimony. As warfare evolves, the Court must adapt its legal frameworks to address cyber operations, artificial intelligence in military strategy, and environmental crimes that result in mass displacement. Scholars and policymakers have proposed structural reforms to enhance efficiency, establish technological divisions, and improve cooperation with regional bodies and NGOs.

Although its limitations are evident, the ICC remains a crucial institution for protecting human rights and preserving international order. With stronger reforms and global collaboration, it can continue serving as a defender of justice and a deterrent against future atrocities.

## **References**

1. Human Rights Watch. (2004). The International Criminal Court: How nongovernmental organizations can contribute to the prosecution of war criminals. <https://www.hrw.org/legacy/background/africa/icc0904/1.html>
2. Pronto, A. N. (1998). Rome Statute of the International Criminal Court. United Nations Legal Office. [https://legal.un.org/icc/statute/99\\_corr/cstatute.html](https://legal.un.org/icc/statute/99_corr/cstatute.html)
3. Oxford Public International Law. (2018). The Rome Statute at 20. <https://opil.ouplaw.com/page/734>
4. International Justice Resource Center. (2020). Internationalized Criminal Tribunals. <https://ijrcenter.org/international-criminal-law/internationalized-criminal-tribunals/>
5. United Nations Legal Affairs. (n.d.). Historical antecedents – International Law Commission. <https://legal.un.org/ilc/ilcintro.shtml>

6. International Criminal Court. (2021). New ICC Presidency elected for 2021–2024. <https://www.icc-cpi.int/Pages/item.aspx?name=pr1576>
7. International Court of Justice. (n.d.). Registrar – ICJ. <https://www.icj-cij.org/en/registrar>
8. Coalition for the ICC. (n.d.). ICC Situations and Cases. <https://www.coalitionfortheicc.org/explore/icc-situations-and-cases>
9. Carter, L., & Longworth, M. (2024). Digital forensics in international criminal law: Role of AI and metadata authentication. *Journal of International Criminal Justice*. <https://doi.org/10.1093/jicj/mqae003>
10. Chan, R. (2024). Artificial intelligence and warfare: Legal accountability under the Rome Statute. *Global Security Review*. <https://globalsecurityreview.com/ai-warfare-rome-statute-legal-analysis>
11. Harrison, P. (2024). Regional cooperation and ICC enforcement mechanisms. *International Affairs Journal*. <https://doi.org/10.1111/iaj.2024.56>
12. Müller, S. (2024). Evolution from state-based justice to individual accountability in international law. *Hague Justice Review*. <https://www.haquereview.org/articles/state-individual-accountability>
13. ICC Budget Committee. (2024). Report on financial and structural constraints of the ICC. *International Criminal Court Publications*. <https://www.icc-cpi.int/resources/budget-2024>
14. UN Human Rights Council. (2024). Satellite evidence and digital documentation in war crimes investigations. <https://www.ohchr.org/en/resources>.